IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 8TH OCTOBER 2007 / 16TH ASWINA 1929

MFA.No. 612 of 2000(A)

OP.434/1997 of FAMILY COURT,ERNAKULAM
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APPELLANT:

T.P.SOYA,
D/O.PRABHAKARAN,
VELIPARAMBIL HOUSE,
EDAKOCHI-682 006.

BY ADV. SRI.T.P.VARGHESE
SRI.PHILIP T.VARGHESE

RESPONDENTS:

1.T.R.PRADEEPAN,
THEKKETHATTAM VELI,
PATTANAKAD P.O.
CHERTHALA.

2.T.R.RAJAPPAN,
THEKKETHATTAM VELI,
PATTANAKAD P.O.,
CHERTHALA.

BY ADV. SRI.M.V.MATHEW

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 08/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

M.F.A.No.612 OF 2000

Dated 8th October, 2007.

J U D G M E N T

Kurian Joseph, J.

This is an appeal filed against order dated 4.12.1999 in O.P.No.434/97 on the file of the Family Court, Ernakulam. Petitioner/wife is the appellant. The first respondent is the husband. Petitioner filed the Original Petition for recovery of amounts with future interest. The Original Petition was dismissed. Hence the appeal.

2. When the case was posted before the Lok Adalath on 17th October, 2006, it was reported that the appellant is no more. Thereafter, the case was posted before this Court on 13.9.2007 and this Court on the submission made by the counsel that the appellant is alive, issued a direction to the parties to appear. Today, the first

respondent husband is present. He submits that the appellant died long back. Since no further steps have been taken, the appeal is dismissed.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

M.F.A.No.612 OF 2000

J U D G M E N T

Dated 8th October, 2007.